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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/713,847	11/14/2003	Hideya Kawahara	SUN04-0554-EKL	2772

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EXAMINER

NGUYEN, PHU K

ART UNIT	PAPER NUMBER
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2628

DATE MAILED: 06/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/713,847

Applicant(s)

KAWAHARA ET AL.

Examiner

Phu K. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 May 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7, 14-18, 20, 27-31 and 33 is/are rejected.
- 7) ☒ Claim(s) 6, 8-13, 19, 21-26, 32 and 34-39 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.


Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


PHU K. NGUYEN
PRIMARY EXAMINER
GROUP 2300

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>5/04, 2, 3, 12/05</u> . | 6) <input type="checkbox"/> Other: _____ |

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2, 5, 7, 14, 15, 18, 20, 27, 28, 31, 33 are rejected under 35

U.S.C. 102(b) as being anticipated by ROBERTSON et al. (WO 00/60442).

As per claim 1, Robertson teaches the claimed "method for using visual effects within a three-dimensional (3D) display environment to indicate a usage context of a computational resource", wherein the computational resource is represented by a 3D object in the 3D display environment, the method comprising: "determining the usage context of the computational resource" (Robertson, the task objects associated with the task 370 with the usage context is activation or movement of the task; page 23, lines 4-6); "determining visual effects corresponding to the usage context to be applied to the 3D object which represents the computational resource" (Robertson, the task's movement causes a change in its relative positions represented through its images as on floor , on the walls, ...); and "applying the visual effects to the 3D object so that the usage context of the corresponding computational resource can be determined by viewing the 3D object within the 3D display environment" (Robertson, page 23, line 20 to page 24, line 20).

Claim 2 adds into claim 1 "the computational resource can include one of: a file; a folder; and an application" (Robertson, window application 442, figure 18A).

Claim 5 adds into claim 1 "receiving input from a user to alter visual effects for

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the 3D object; and in response to the input, altering visual effects for the 3D object” (Robertson, the task’s representative is changing according to its movement to a relative position (floor, ceiling, walls, ...) inputted by an user; figures 12A-12I).

Claim 7 adds into claim 1 “the visual effects are applied to a group of 3D objects whose associated computational resources have a similar usage context to the computational resource associated with the 3D object” (Robertson, page 26, lines 4-16).

Claims 14-15, 18, 20 claim a computer-readable storage medium based on the method of claims 1-2, 5, 7; therefore, they are rejected under the same reason.

Claims 27-28, 31, 33 claim an apparatus based on the method of claims 1-2, 5, 7; therefore, they are rejected under the same reason.

Claims 6, 8-13, 19, 21-26, 32, 34-39 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

In claims 6, and similar claims 19, 32, the allowable feature is:

“wherein visual effects for the 3D object change over time, thereby indicating aging of the associated computational resource”.

In claims 8, and similar claims 21, 34, the allowable feature is:

“wherein applying the visual effects to the group of 3D objects involves highlighting the group of 3D objects by using a scoped spotlight within the 3D display environment.”

In claims 9, and similar claims 22, 35, the allowable feature is:

“wherein applying the visual effects to the group of 3D objects involves orienting the group of 3D objects such that the surfaces of the 3D objects have the same angle.”

In claims 10, and similar claims 23, 36, the allowable feature is:

“wherein applying the visual effects involves applying a view direction within the 3D display environment to make visible a subset of 3D objects in the 3D display environment which constitute a workspace.”

In claims 11, and similar claims 24, 37, the allowable feature is:

“wherein applying the visual effects involves changing a lighting position and corresponding shadows cast by the 3D object to indicate time of day.”

In claims 12, and similar claims 25, 38, the allowable feature is:

“wherein applying the visual effects involves changing a fog parameter within the 3D display environment to indicate morning fog.”

In claims 13, and similar claims 26, 39, the allowable feature is:

"wherein applying the visual effects involves changing a background color of the 3D display environment, wherein the background color is reflected by the 3D object. "

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Regarding claims 3-4, 16-17, 29-30 the phrase "can" renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phu K. Nguyen whose telephone number is (571) 272 7645. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached on (571) 272 7664. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Phu K. Nguyen
June 12, 2006


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